

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

**CHRISTOPHER TRAVIS, individually
and derivatively on behalf of MILK
RIVER HUNTING PRESERVE, LLC a
dissolved Montana Limited Liability
Company,**

Plaintiffs,

vs.

JOHN KEVIN MOORE, et. al.,

Defendants.

Civil Case No. 4:22-cv-00074-GF-BMM

**MOTION TO EXTEND AND
ENLARGE DEADLINES FOR FILING
OF DEFENDANT'S OPPOSITION TO
SUMMARY JUDGMENT**

NOW COMES, Defendant JOHN KEVIN MOORE, by and through undersigned counsel John M. Pierce, respectfully moves the Court for an Order extending the deadline for Defendant Moore to answer or file an opposition to the Motion for Default Judgment and Partial Summary Judgment Quieting Title filed by Plaintiff for sixty (60) days. Counsel will provide additional details in a companion Memorandum of Law but ended up in a criminal trial all week that he had not expected to consume Friday.

1. Furthermore, after speaking with Defendant regarding his ongoing health issues, it became clear to Counsel that the upcoming deadline would be impossible to meet.
2. Counsel has learned that Defendant has recently been overcome with life threatening health problems, which must be attended to before he can devote time to defend his case and submit the facts and information required by Counsel that are essential for the response.

3. This law firm's paralegal Moseley has attempted to run through the key assertions of the Statement of Undisputed Material Facts and pinpoint areas of disagreement but instead of being able to raise Mr. Moore on the phone also got a text message that his health issues prevented him from working with the paralegal on these key details necessary to file an Opposition.
4. Counsel and another attorney with the firm Roger Roots have been tied up in trial and need time to adequately represent their client's interests. The criminal has run longer than expected and is currently extending into August 28, 2023, and possibly longer. Because the trial is continuing into August 28, 2023, and possibly August 29, 2023 (with another criminal case having a bail revocation hearing also on August 28, 2023), these developments require additional information to be filed separately.
5. Being that Counsel is currently in trial and have additional trials scheduled 9/5, 9/14, 9/26, 10/2 and 10/16, he seeks an extension for sixty (60) days or possibly more, if agreeable to the Court in order to respond intelligently and informatively.
6. This case is extremely complex and needs additional time to file an opposition to Plaintiff's motion for summary judgment.
7. Counsel also needs time to manage his workload effectively and respond to these claims against Defendant in a timely and comprehensive manner.

WHEREFORE, given the hectic trial schedule imposed on counsel along with the Defendant's health concerns, John Kevin Moore, respectfully moves this Court, to grant said relief in the interests of fairness and justice and extend the deadline for sixty days or a date convenient with the Court.

Dated: August 25, 2023

**RESPECTFULLY SUBMITTED
CHRISTOPHER MCHAEAL ALBERTS,**

By Counsel

_____/s/____John M. Pierce_____

John M. Pierce, Esq.
John Pierce Law Firm
21550 Oxnard Street
3rd Floor, PMB #172
Woodland Hills, CA 91367
Tel: (213) 400-0725
Email: jpierce@johnpiercelaw.com
Attorney for Defendant

Alexander Louis Roots, Esq.
Planalp & Roots, P.C.
P.O. Box 1
Bozeman, MT 59771
406-586-4351
alex@planalplaw.com
Co-Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that this document is being filed on this August 25, 2023, with the Clerk of the Court by using the U.S. District Court for the District Montana's CM/ECF system, which will send an electronic copy of it to all counsel of record. From my review of the PACER account for this case the following attorneys are enrolled to receive notice and a copy through the ECF system and should receive service.

Mr. Benjamin O. Rechtfertig, Esq.
HEDGER FRIEND
2800 Central Avenue, Suite C
Billings, MT 59102
406-896-4100
406-896-4199 (fax)
brechtfertig@hedgerlaw.com
Attorney for Christopher Travis

Joseph Loren Breitenbach
Christensen Fulton & Filz, PLLC
19 36th Street West, Suite 3
Billings, MT 59102
406-248-3100
jlb@cflawfirm.net
Attorney for Christopher Travis

Ms. Lynsey Ross, Esq.
United States Attorney's Office

District of Montana
2601 2nd Avenue North, Ste 3200
Billings, MT 59101
406-247-4632
lynsey.ross@usdoj.gov
Attorney for the United States of America

Mark Steger Smith
U.S. Attorney's Office - Billings
2601 Second Avenue North, Suite 3200
Billings, MT 59101
406-657-6101
406-657-6058 (fax)
mark.smith3@usdoj.gov
Attorney for the United States of America

Ms. Kirsten K. Madsen, Esq.
Office of the Montana State Auditor,
Commissioner of Securities and Insurance,
840 Helena Avenue
Helena, MT 59601
406-444-4328
kirsten.madsen@mt.gov
Attorney for The Commissioner of Securities and Insurance,
Office of the Montana State Auditor

Mr. Christopher McConnell, Esq.
Office of the Montana State Auditor,
Commissioner of Securities and Insurance,
840 Helena Avenue
Helena, MT 59601
406-444-2040
christopher.mcconnell@mt.gov
Attorney for The Commissioner of Securities and Insurance,
Office of the Montana State Auditor

_____/s/____ John M. Pierce_____
John M. Pierce, Esq.
John Pierce Law Firm